

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

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SPACE DATA CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.
	)	5:16-cv-03260
ALPHABET, INC., and GOOGLE,	)	-BLF
INC.,	)	
	)	
Defendants.	)	
	)	

HIGHLY CONFIDENTIAL, ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF SERGEY BRIN

JULY 23, 2018

BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR  
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11 INC., ) -BLF  
12 Defendants. )  
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16 MONDAY, JULY 23, 2018

17 VIDEOTAPED DEPOSITION OF SERGEY BRIN  
18 HIGHLY CONFIDENTIAL, ATTORNEYS' EYES ONLY

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24 REPORTER: BALINDA DUNLAP, CSR 10710, RPR, CRR, RMR  
25

1 building.

2 Q. It was in 2010.

3 A. Yeah.

4 MR. VAN NEST: Anyway, it is up to your  
02:29:25 5 recollection where you sat.

6 THE WITNESS: Okay. Sorry. No, I don't  
7 remember where I sat.

8 Q. BY MR. HOSIE: Do you recall that you  
9 would chat with DeVaul about balloon technology as  
02:29:33 10 he was working on that from 2011 forward?

11 A. I mean, I met with Loon folks many times.  
12 I don't remember.

13 Q. So Mr. Brin, our trial is set for August  
14 of next year. Do I have your commitment that you  
02:29:44 15 will come and talk to the jury if we ask you to?

16 MR. VAN NEST: I'll object to the  
17 question. Don't answer it. That's a question he  
18 can ask me. He doesn't need to ask you.

19 MR. HOSIE: I did, and you said he would  
02:29:53 20 be available at trial.

21 MR. VAN NEST: I said you could subpoena  
22 him. I will discuss his availability later,  
23 Counsel, but please don't waste time asking the  
24 witness that question.

25 MR. HOSIE: All right. I am going to end

1 this now on the assumption that we will have you  
2 for trial.

3 MR. VAN NEST: Don't make any assumptions,  
4 Counsel. Don't make any assumptions. Any  
02:30:10 5 questions you want to ask Mr. Brin, you should ask  
6 now.

7 MR. HOSIE: We will have him served with a  
8 trial subpoena next week. Off the record.

9 MR. VAN NEST: So stay on the record.  
02:30:19 10 I'll accept the subpoena. As I said, I'll accept  
11 the subpoena from you.

12 MR. HOSIE: You did say that.

13 Mr. Brin, that's lawyer stuff, but we are  
14 done. I thank you for your courtesy and patience.

02:30:26 15 MR. VAN NEST: Thank you.

16 MR. HOSIE: Off the record.

17 THE VIDEOGRAPHER: This is the end of Disc  
18 No. 1, Volume I, and concludes the deposition of  
19 Sergey Brin. The time is 2:30 p.m. on July 23rd,  
20 2018, and we are off the record.

21 (Whereupon the proceedings were  
22 concluded at 2:30 p.m.)

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DEPOSITION OFFICER'S CERTIFICATE

STATE OF CALIFORNIA       )  
  ) ss.  
COUNTY OF SAN FRANCISCO )

I, Balinda Dunlap, hereby certify:

I am a duly qualified Certified Shorthand  
Reporter in the State of California, holder of  
Certificate Number CSR 10710 issued by the Certified Court  
Reporters' Board of California and which is in full  
force and effect. (Fed. R. Civ. P. 28(a)(1)).

I am authorized to administer oaths or  
affirmations pursuant to California Code of Civil  
Procedure, Section 2093(b) and prior to being examined,  
the witness was first duly sworn by me. (Fed. R. Civ.  
P. 28(a)(a)).

I am not a relative or employee or attorney or  
counsel of any of the parties, nor am I a relative or  
employee of such attorney or counsel, nor am I  
financially interested in this action. (Fed. R. Civ. P.  
28).

I am the deposition officer that  
stenographically recorded the testimony in the foregoing  
deposition and the foregoing transcript is a true record

/ / /

1 of the testimony given by the witness. (Fed. R. Civ. P.  
2 30(f)(1)).

3 Before completion of the deposition, review of  
4 the transcript [XX] was [ ] was not requested. If  
5 requested, any changes made by the deponent (and  
6 provided to the reporter) during the period allowed, are  
7 appended hereto. (Fed. R. Civ. P. 30(e)).

8  
9 Dated: July 27, 2018

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